

REMARKS

As set forth in the Advisory Action, the Amendment After Final Rejection filed on August 21, 2007, was not entered by the Examiner.

By this Second Amendment After Final Rejection, claim 45 is cancelled without prejudice or disclaimer, and claim 44 is amended. Claims 2, 5-7, 9, 12-19, 21-25, 27-29, 31-39 and 41-44 are pending in the application. The specification is amended in the "BRIEF DESCRIPTION OF THE DRAWINGS" section. Applicants respectfully submit that the amendments place the application in condition for allowance. Accordingly, the amendments should be entered. Favorable reconsideration is respectfully requested in light of the above amendments and the following remarks.

Allowable Subject Matter

Applicants gratefully acknowledge that claims 2, 5-7, 9, 12-19, 21-25, 27-29, 31-39, 41-43 have been allowed.

Telephonic Interview

Applicants thank Examiner Lu for conducting a telephonic interview with their undersigned representative on October 17, 2007. During this interview, Examiner Lu agreed that the original disclosure provides a written description of the subject matter recited in amended claim 44, which is sufficient to overcome the rejection of this claim under 35 U.S.C. § 112, ¶1. Cancelled claim 45 was also discussed during the interview.

Objection to Specification Under 35 U.S.C. § 132(a)

The Amendment filed on September 25, 2006, was objected to under 35 U.S.C. § 132(a), because it allegedly introduced new matter into the disclosure. This objection will be discussed below.

Rejection Under 35 U.S.C. § 112, ¶1

Claims 44 and 45 were rejected under 35 U.S.C. § 112, ¶1, as allegedly failing to comply with the written description requirement.

As was discussed during the October 17, 2007, telephonic interview, amended claim 44 recites that "the sieve bottom area of the first chamber is equal to 2/3 of the total sieve bottom area of all chambers." To demonstrate support in the original disclosure for the amendment to claim 44, Applicants submitted a certified copy of the German-language priority document, DE 101 44 747.7 with the Amendment After Final Rejection filed on August 21, 2007. The entire contents of the priority document were incorporated by reference in the present application. See paragraph [0001] of the present application. In Fig. 5c shown in the priority document, the horizontal axis indicates values of " A/A_{tot} " ranging from 0 to 1. Below the horizontal axis, the following is shown: "A: Siebbodenfläche"; " A_{tot} : gesamte Siebbodenfläche"; and " A/A_{tot} : Flächenanteil."

Applicants have resubmitted herewith the verified Statement from Erhard Krumholz, which was previously submitted on August 21, 2007. The Statement provides an explanation of the relationship of Fig. 5c to Fig. 5b and also an English translation of the German-language terms shown below the horizontal axis in Fig. 5c. In the Statement, Mr. Kromholz references International Publication No. WO

03/022544, which is the published International Application No. PCT/CH02/00442, claiming priority to DE 101 44 747.7.

In the Statement, Mr. Kromholz confirms that Fig. 5c (curve 2) relates to the five-chamber structure shown in Fig. 5b. As further discussed in the Statement, in Fig. 5c, "A" denotes "Siebbodenfläche" = "sieve bottom area"; and A_{tot} denotes "gesamte Siebbodenfläche" = "total/entire sieve bottom area." The ratio of A/A_{tot} shown in Fig. 5c pertains to the five-stage fluidized layer (i.e., five chambers) shown in Fig. 5b.

As also discussed in the Statement, $A = A(x)$ is the partial sieve bottom area covered when a fictitious wall is moved from the origin (0) at the left end towards the end (A_{tot}) at the right in the Fig. 5c diagram. A_{tot} is constant. Due to symmetry, the linear position (x) on the abscissa is proportional to $A(x)$ and thus proportional to $A(x)/A_{\text{tot}}$. Thus, in Fig. 5c, the abscissa (position x) represents $A(x)/A_{\text{tot}}$, with each short vertical line on the abscissa indicating one of the fixed walls for the five-stage fluidized layer shown in Fig. 5b. For example, as shown in Fig. 5c, the ratio of the sieve bottom area of the first chamber (first stage) to the total sieve bottom area of the five chambers (five stages) is equal to 2/3.

Applicants have amended the description of Fig. 5c in the "BRIEF DESCRIPTION OF THE DRAWINGS" section of the specification to describe the meaning of the terms A, A_{tot} and A/A_{tot} . See also paragraph [00051] of the specification. Applicants submit that these amendments fully address the objection to the specification.

Applicants submit that amended claim 44 is in compliance with the requirements of 35 U.S.C. § 112, ¶1. Therefore, withdrawal of the rejection is respectfully requested.

Conclusion

For the foregoing reasons, allowance of the application is respectfully requested. Should there be any questions regarding this reply, Applicants' undersigned representative can be reached at the telephone number given below.

Respectfully submitted,

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